UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) Criminal No. 04-10314-RCL
v.) VIOLATIONS:
(1) MANUEL E. PINALES,)) 21 U.S.C. § 846
(2) JOSE ANTONIO CRUZ,) Conspiracy to Distribute Cocaine
a/k/a "Eduardo LNU") · · · · · · · · · · · · · · · · · · ·
(3) LUIS R. CLAS,) 21 U.S.C. §§ 841 (a)(1)
a/k/a "Cuba") Distribution of Cocaine and Possession with
(4) RICHARD PENA, and) Intent to Distribute
(5) TAJH M. WHITE)
) 18 U.S.C. § 2
) Aiding and Abetting
)

INDICTMENT

COUNT ONE: (21 U.S.C. § 846 -- Conspiracy To Distribute Cocaine)

The Grand Jury charges that:

From in or about June 2004, and continuing thereafter until on or about October 6, 2004, the date of this Indictment, at Boston, Fall River, New Bedford and elsewhere in the District of Massachusetts, and elsewhere

(1) MANUEL E. PINALES,
(2) JOSE ANTONIO CRUZ a/k/a "Eduardo LNU,"
(3) LUIS R. CLAS a/k/a "Cuba,"
(4) RICHARD PENA, and
(5) TAJH M. WHITE

defendants herein, did knowingly and intentionally conspire, combine, confederate and agree with each other and with persons known and unknown to the Grand Jury, to possess with intent to distribute, and to distribute, cocaine, a Schedule II controlled substance, in violation of Title

21, United States Code, Section 841(a)(1).

It is further alleged that the conspiracy described herein involved five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, in violation of Title 21, United States Code, Section 841(b)(1)(A)(ii) applies to this count.

All in violation of Title 21, United States Code, Section 846.

<u>COUNT TWO</u>: (21 U.S.C. § 841(a)(1)--Distribution of Cocaine; 18 U.S.C. § 2—Aiding and Abetting)

The Grand Jury further charges that:

On or about September 27, 2004, at Boston, in the District of Massachusetts,

- (1) MANUEL E. PINALES and
- (3) LUIS R. CLAS a/k/a "Cuba"

defendants herein, knowingly and intentionally did possess with intent to distribute and did distribute cocaine, a Schedule II controlled substance.

It is further alleged that the offense described herein involved five hundred (500) grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(ii) applies to this Count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

<u>COUNT THREE</u>: (21 U.S.C. § 841(a)(1)—Possession with Intent to Distribute Cocaine; 18 U.S.C. § 2—Aiding and Abetting)

The Grand Jury further charges that:

On or about September 27, 2004, at Boston, in the District of Massachusetts,

(5) TAJH M. WHITE

defendant herein, knowingly and intentionally did possess with intent to distribute and did distribute cocaine, a Schedule II controlled substance.

It is further alleged that the offense described herein involved five hundred (500) grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(ii) applies to this Count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT FOUR: (21 U.S.C. § 841(a)(1)-Distribution of Cocaine; 18 U.S.C. § 2—Aiding and Abetting)

The Grand Jury further charges that:

On or about September 29, 2004, at Boston, in the District of Massachusetts,

- (1) MANUEL E. PINALES and
- (3) LUIS R. CLAS a/k/a "Cuba"

defendants herein, knowingly and intentionally did possess with intent to distribute and did distribute cocaine, a Schedule II controlled substance.

It is further alleged that the offense described herein involved five hundred (500) grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(ii) applies to this Count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION (21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the narcotics offenses alleged in Counts One through Four of this Indictment,

(1) MANUEL E. PINALES, (2) JOSE ANTONIO CRUZ a/k/a "Eduardo LNU," (3) LUIS R. CLAS a/k/a "Cuba," (4) RICHARD PENA, and (5) TAJH M. WHITE

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations.

- 2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants --
 - (a) cannot be located upon the exercise of due diligence;
 - (b) has been transferred or sold to, or deposited with, a third party;
 - (c) has been placed beyond the jurisdiction of the Court;
 - (d) has been substantially diminished in value; or
 - (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 18, United States Code, Section 853.

A TRUE BILL,

Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS:

October 6, 2004

Returned into the District Court by the Grand Jurors and filed.

Criminal Case Cover Sheet	<u>U</u> .	.S. District Court - District of Massachusetts
Place of Offense:	Category No. II	Investigating Agency <u>DEA</u>
City Boston	Related Case Information:	:
County Suffolk	Superseding Ind./ Inf. Same Defendant Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of	New Defendantber
Defendant Information:		
Defendant Name Tajh M. White		Juvenile Yes X No
Alias Name		
Address <u>Unknown</u>		
Birth date (Year only): 76 SSN (I	last 4 #): 9376 Sex M Race:	Nationality:
Defense Counsel if known:	A	ddress:
Bar Number:	***	
U.S. Attorney Information:		
AUSA Maureen B. Hogan	Bar Numl	ber if applicable
Interpreter: X Yes No	List language and/o	
Matter to b	□ No	
The state of the s	Regular Process	☐ In Custody
Location Status:	•	
Arrest Date:		
Already in Federal Custody as	<u> </u>	in .
Already in State Custody		Sentence Awaiting Trial
Charging Document: Con	nplaint Information	n X Indictment
Total # of Counts: Petty	y Misdemean	or Felony 1
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		gs before a Magistrate Judge are
Date: October 6, 2004	Signature of AUSA	At y
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Name of Defendant Tajh M. V	White	
	U.S.C. Citations	
Index Key/Code	Description of Offense Charged	Count Numbers
et 1 18 U.S.C. § 841	Possession with Intent to Distribute Cocaine	Three
et 2		
et 3		
et 4		-
et 5		
et 6		
et 7		
et 8		
et 9		
et 10		
et 11		
et 12		
et 13		
		•
st 15		

Criminal Case Cover Sheet	U.	S. District Court - District of Massachusetts
Place of Offense:	Category No. II	Investigating Agency DEA
City Boston	Related Case Information:	
County Suffolk	Same Defendant	Case No. New Defendant per
Defendant Information:		
		Juvenile Yes X No
Alias Name		
Address 7 Knight Street, Apt. 2R, Hy	de Park, MA	<u> </u>
Birth date (Year only): 48 SSN (las	st 4 #): <u>4363</u> Sex <u>M</u> Race:	Hipsanic Nationality: Dominican
Defense Counsel if known:	Ad	ldress:
Bar Number:		
U.S. Attorney Information;		
AUSA Maureen B. Hogan	Bar Numb	per if applicable
Interpreter: X Yes No	List language and/or	
Matter to be	No	Брамави
10 No. 10	Regular Process	☐ In Custody
Location Status:		in custody
Arrest Date:		
Already in Federal Custody as		in .
Already in State Custody		· · · · · · · · · · · · · · · · · · ·
On Pretrial Release: Ordered by		on
Charging Document: Comp	laint Information	X Indictment
Γotal # of Counts: Petty	Misdemean	or Felony <u>1</u>
Cont	inue on Page 2 for Entry of U.S.	.C. Citations
I hereby certify that the case n accurately set forth above.	umbers of any prior proceeding	gs before a Magistrate Judge are
Date: October 6, 2004	Signature of AUSA:	2//

District Court Case Number (To be filled in by deputy clerk): Name of Defendant Richard Pena **U.S.C.** Citations Index Key/Code **Description of Offense Charged Count Numbers** Set 1 <u>18 U.S.C. § 846</u> Conspiracy to Distribute Cocaine One Set 4 _____ Set 6 _____ Set 7 _____ Set 10 _____ Set 12 _____ Set 13 _____ Set 15 ____ ADDITIONAL INFORMATION:

Arrest Date: Already in Federal Custody as	Criminal Case Cover Sheet	U	.S. District Court - Dist	rict of Massachusetts
County Suffolk Superseding Ind / Inf.	Place of Offense:	Category No. II	Investigating Agency	DEA
Same Defendant New Defendant Magistrate Judge Case Number R 20/R 40 from District of Defendant Information: Defendant Name Luis R Clas Juvenile Yes X No Alias Name Cuba Address 115 Navarre Street, Floor 2, Hyde Park, MA Birth date (Year only): 47 SSN (last 4 #): 6636 Sex M Race: Hipsanic Nationality: Defense Counsel if known: Address: Bar Number: U.S. Attorney Information: AUSA Maureen B. Hogan Bar Number if applicable Interpreter: X Yes No List language and/or dialect: Spanish Matter to be The Thirty No Already in Federal Custody Regular Process In Custody Location Status: Arrest Date: Already in State Custody Serving Sentence Awaiting Trial On Pretrial Release: Ordered by On Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor Felony 3 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	City Boston	_ Related Case Information	:	
Defendant Name Luis R. Clas	County Suffolk	Same Defendant Magistrate Judge Case Num Search Warrant Case Numb	New Defendant ber er	
Alias Name Cuba Address 115 Navarre Street, Floor 2, Hyde Park, MA Birth date (Year only): 47 SSN (last 4#): 6636 Sex M Race: Hipsanic Nationality: Defense Counsel if known: Address: Bar Number: U.S. Attorney Information: AUSA Maureen B. Hogan Bar Number if applicable Interpreter: X Yes No List language and/or dialect: Spanish Matter to be 11 Th No Regular Process In Custody Location Status: Arrest Date: Already in Federal Custody as in Avaiting Trial on Parential Release: Ordered by on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor Felony 3 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Defendant Information:			
Address 115 Navarre Street, Floor 2, Hyde Park, MA Birth date (Year only): 47 SSN (last 4#): 6636 Sex M Race: Hipsanic Nationality: Defense Counsel if known: Address: Bar Number: U.S. Attorney Information: AUSA Maureen B. Hogan Bar Number if applicable Interpreter: X Yes No List language and/or dialect: Spanish Matter to be Regular Process In Custody Location Status: Arrest Date: Already in State Custody Information Serving Sentence Awaiting Trial On Pretrial Release: Ordered by On Charging Document: Complaint Information Informa	Defendant Name Luis R. Clas		Juvenile Yes	X No
Address 115 Navarre Street, Floor 2, Hyde Park, MA Birth date (Year only): 47 SSN (last 4#): 6636 Sex M Race: Hipsanic Nationality: Defense Counsel if known: Address: Bar Number: U.S. Attorney Information: AUSA Maureen B. Hogan Bar Number if applicable Interpreter: X Yes No List language and/or dialect: Spanish Matter to be Regular Process In Custody Location Status: Arrest Date: Already in State Custody Information Serving Sentence Awaiting Trial On Pretrial Release: Ordered by On Charging Document: Complaint Information Informa	Alias Name Cuba			
Birth date (Year only): 47 SSN (last 4 #): 6636 Sex M Race: Hipsanic Nationality: Defense Counsel if known: Address: Bar Number: U.S. Attorney Information: AUSA Maureen B. Hogan Bar Number if applicable Interpreter: X Yes No List language and/or dialect: Spanish Matter to be Hippan Regular Process In Custody Location Status: Arrest Date: Serving Sentence Awaiting Trial On Pretrial Release: Ordered by on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor Felony 3 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.				
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Bar Number: U.S. Attorney Information: AUSA Maureen B. Hogan Bar Number if applicable Interpreter: X Yes No List language and/or dialect: Spanish Matter to be REFER No Regular Process In Custody Location Status: Arrest Date: Already in Federal Custody as in Already in State Custody Serving Sentence Awaiting Trial On Pretrial Release: Ordered by on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor Felony 3 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Defense Counsel if known:	A	ddress:	
AUSA Maureen B. Hogan Bar Number if applicable Interpreter: X Yes No List language and/or dialect: Spanish Matter to be Regular Process In Custody Location Status: Arrest Date: Already in Federal Custody as in Serving Sentence Awaiting Trial On Pretrial Release: Ordered by on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor Felony 3 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Bar Number:			
Interpreter: X Yes No List language and/or dialect: Spanish Matter to be Regular Process In Custody Location Status: Arrest Date: Already in Federal Custody as in Serving Sentence Awaiting Trial On Pretrial Release: Ordered by on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor Felony 3 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	U.S. Attorney Information:			
Interpreter: X Yes No List language and/or dialect: Spanish Matter to be Regular Process In Custody Location Status: Arrest Date: Already in Federal Custody as in Serving Sentence Awaiting Trial On Pretrial Release: Ordered by on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor Felony 3 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	AUSA Maureen B. Hogan	Bar Num	ber if applicable	
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Already in State Custody Serving Sentence Awaiting Trial On Pretrial Release: Ordered by on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor Felony	Arrest Date:			
Total # of Counts: Petty Misdemeanor Felony 3 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Already in State Custody	Serving	Sentence Awaiting	Trial
Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Charging Document: Comp	laint Informatio	n X Indictn	nent
Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Total # of Counts: Petty	Misdemean	or Felony	3
I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Conti	nue on Page 2 for Entry of U.S		
Date: October 6, 2004 Signature of AUSA	I hereby certify that the case m	·		dge are
	Date: October 6, 2004	Signature of AUSA	AM	<u> </u>

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District Court Case Number (To be filled in by deputy clerk): Name of Defendant Luis R. Clas **U.S.C.** Citations **Index Key/Code Description of Offense Charged** Count Numbers Set 1 <u>18 U.S.C. § 846</u> Conspiracy to Distribute Cocaine One Set 2 <u>18 U.S.C. § 841</u> Distribution of Cocaine Two and Four Set 3 _____ Set 6 _____ Set 7 ______ Set 9 Set 10 _____ Set 12 _____ Set 13 _____ Set 14 _____ Set 15 ADDITIONAL INFORMATION:

Criminal Case Cover Sheet	U.S. District Court - District of Massachusetts
Place of Offense:	Category No. II Investigating Agency DEA
City Boston	Related Case Information:
County Suffolk	Superseding Ind./ Inf. Same Defendant Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of
Defendant Information:	
Defendant Name Jose Antonio Cruz	Juvenile Yes X No
Alias Name Eduardo	
Address Bronx, NY	
	st 4 #): Sex M Race: Hipsanic Nationality: Dominican
Defense Counsel if known:	Address:
Bar Number:	
U.S. Attorney Information:	
AUSA Maureen B. Hogan	Bar Number if applicable
Interpreter: X Yes No	List language and/or dialect: Spanish
Matter to be	□ No
The same transfer and trans	Regular Process In Custody
Location Status:	
Arrest Date:	
en e	in Serving Sentence Awaiting Trial on
Charging Document: Comp	laint Information X Indictment
Total # of Counts: Petty	Misdemeanor Felony 1
Cont	inue on Page 2 for Entry of U.S.C. Citations
I hereby certify that the case n accurately set forth above.	umbers of any prior proceedings before a Magistrate Judge are
Date: October 6, 2004	Signature of AUSA:
	/

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District Court Co. N.			
Name of Defendant	Jose Antonio Cr	ruz	
		U.S.C. Citations	
Index Key/	<u>Code</u>	Description of Offense Charged	Count Numbers
Set 1 <u>18 U.S.C. § 846</u>	<u>C</u>	Conspiracy to Distribute Cocaine	One
Set 2			
Set 4			
Set 5	- -		
Set 6			
Set 7			
Set 8			
Set 9	<u> </u>		
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
ADDITIONAL INFORM	MATION:		

Criminal Case Cover Sheet	U.S. District Court - District of Massachusetts
Place of Offense:	Category No. II Investigating Agency DEA
City Boston	Related Case Information:
County Suffolk	Superseding Ind./ Inf. Same Defendant Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of
Defendant Information:	
Defendant Name Manuel E. Pinales	Juvenile Yes X No
Alias Name	
Address 1828 River Street, Hyde Par	rk, MA
Birth date (Year only): 63 SSN (la	ast 4 #): 4818 Sex M Race: Hipsanic Nationality: Dominican
Defense Counsel if known:	Address:
Bar Number:	
U.S. Attorney Information:	
AUSA Maureen B. Hogan	Bar Number if applicable
Interpreter: X Yes No	List language and/or dialect: Spanish
Matter to b	□ No
	Regular Process In Custody
Location Status:	
Arrest Date:	
Already in Federal Custody as	in
	Serving Sentence Awaiting Trial
Charging Document: Com	plaint Information X Indictment
Fotal # of Counts: Petty	Misdemeanor Felony 3
Cont	tinue on Page 2 for Entry of U.S.C. Citations
I hereby certify that the case raccurately set forth above.	numbers of any prior proceedings before a Magistrate Judge are
Date: October 6, 2004	Signature of AUSA: Wants.

SJS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): Name of Defendant Manuel E. Pinales **U.S.C.** Citations Index Key/Code **Description of Offense Charged Count Numbers** Conspiracy to Distribute Cocaine Set 1 18 U.S.C. § 846 One Set 2 <u>18 U.S.C. § 841</u> Distribution of Cocaine Two and Four Set 5 _____ Set 6 _____ Set 9 _____ Set 11 _____ Set 12 _____ Set 13 _____ Set 14 _____ Set 15 _____ ADDITIONAL INFORMATION: